

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL D. DUNLAP,

Defendant.

Case No. 19-cr-40078-JPG-1

**MEMORANDUM AND ORDER**

This matter comes before the Court on defendant Daniel D. Dunlap's motion for a reduction of his criminal sentence pursuant to 18 U.S.C. § 3582(c)(2) and United States Sentencing Guidelines Manual ("U.S.S.G.") § 1B1.10, making Amendment 821 retroactive (Doc. 52). The Government agrees to the motion (Doc. 53).

The parties agree that the defendant is eligible for a reduction under Part B of Amendment 821, which added U.S.S.G. § 4C1.1 (2023) to alter offense level calculations for some offenders with no criminal history points. Under Amendment 821, the defendant's offense level is reduced from 29 to 27. The result is that his guideline sentencing range is lowered. Considering this lowered range, the parties agree that a sentence reduction from 87 months to 46 months in prison on each count of conviction is appropriate. The Court agrees for the reasons set forth in the motion.

Accordingly, the Court **GRANTS** the motion (Doc. 52) and reduces the defendant's sentence of imprisonment from 87 months to **46 months or "time served," whichever is longer, on each count** effective February 1, 2024. The Court attaches its standard order (AO Form 247) reflecting the sentence reduction.

**IT IS SO ORDERED.**

**DATED: January 17, 2024**

s/ J. Phil Gilbert \_\_\_\_\_  
**J. PHIL GILBERT**  
**U.S. DISTRICT JUDGE**